

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

COMMERCE WEST INSURANCE
COMPANY,

Plaintiff,

V.

IGNACIO CISNEROS, et al.,

Defendants.

CASE NO. C20-0109-RSM

ORDER GRANTING SUMMARY JUDGMENT

The Court, having reviewed plaintiff's complaint (Dkt. 1), the Motion for Summary

Judgment (Dkt. 11), the Report and Recommendation of Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

(1) The Court adopts the Report and Recommendation;

(2) Plaintiff's Motion for Summary Judgment (Dkt. 11) is GRANTED and the Court
plaintiff entitled to the following declaratory relief: (1) the Auto Insurance Policy does not
provide coverage to Cisneros in the underlying litigation; (2) the Homeowner Insurance Policy
does not provide coverage to Cisneros in the underlying litigation; (3) Commerce West does not
have a duty to defend Cisneros in the underlying litigation because there is no coverage; and (4)
Commerce West does not have a duty to indemnify Cisneros in the underlying litigation because

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1 there is no coverage;

2 (3) This matter is DISMISSED with prejudice; and

3 (4) The Clerk is directed to send copies of this Order to plaintiff and to the Honorable

4 Mary Alice Theiler.

5 DATED this 4th day of May, 2020.

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9 RICARDO S. MARTINEZ
10 CHIEF UNITED STATES DISTRICT JUDGE